



**US Army Corps
of Engineers®**

Nashville District

Public Notice

Public Notice No. **06-05**

Date: **January 13, 2006**

Application No. **200502528**

Please address all comments to:
Nashville District Corps of Engineers, Regulatory Branch
3701 Bell Road, Nashville, TN 37214

JOINT PUBLIC NOTICE
US ARMY CORPS OF ENGINEERS
AND
TENNESSEE VALLEY AUTHORITY

SUBJECT: Proposed Excavation for Boat Access Channel at Unnamed Tributary Embayment, Tennessee River Mile 235.0L, Pickwick Lake, Colbert County, Alabama

TO ALL CONCERNED: The application described below has been submitted for a Department of the Army Permit pursuant to **Section 10 of the Rivers and Harbors Act of 1899** and a Tennessee Valley Authority (TVA) permit pursuant to **Section 26a of the TVA Act**.

APPLICANT: William Cornelius
P.O. Box 3657
Muscle Shoals, Alabama 35662

LOCATION: Unnamed Tributary Embayment, Tennessee River Mile 235.0, Left Bank, Pickwick Lake, Colbert County, Alabama (Cherokee Quad; lat 34-51-15.8400, lon 87-57-9.7200)

DESCRIPTION: The proposed work consists of excavating a boat access channel at the subject location. The work would involve excavating a channel approximately 325' long with a width of 150'. The channel would be excavated to bottom Elevation 404.0', which is approximately 10' below the Normal Summer Pool (NSP) Elevation 414.0' for Pickwick Lake. All work would be performed in the dry during Normal Winter Pool (NWP) drawdown of Pickwick Lake. All material would be removed with a trackhoe and hauled off-site and disposed of in an upland disposal site, as shown on the quad map. A 10' wide buffer would be left undisturbed between the excavated area and the NSP shoreline.

The purpose of the proposed work would be to construct a boat access channel that would provide adequate winter water for future private docks for seven residential lots around the embayment.

Plans of the proposed work are attached to this notice.

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the work must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b)(1) of the CWA (40 CFR Part 230). A permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

An Environmental Assessment will be prepared by this office prior to a final decision concerning issuance or denial of the requested Department of the Army Permit.

The National Register of Historic Places has been consulted and no properties listed in or eligible for the National Register are known which would be affected by the proposed work. This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the office of the State Historic Preservation Officer.

Based on available information, the proposed work will not destroy or endanger any federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act, and, therefore, initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

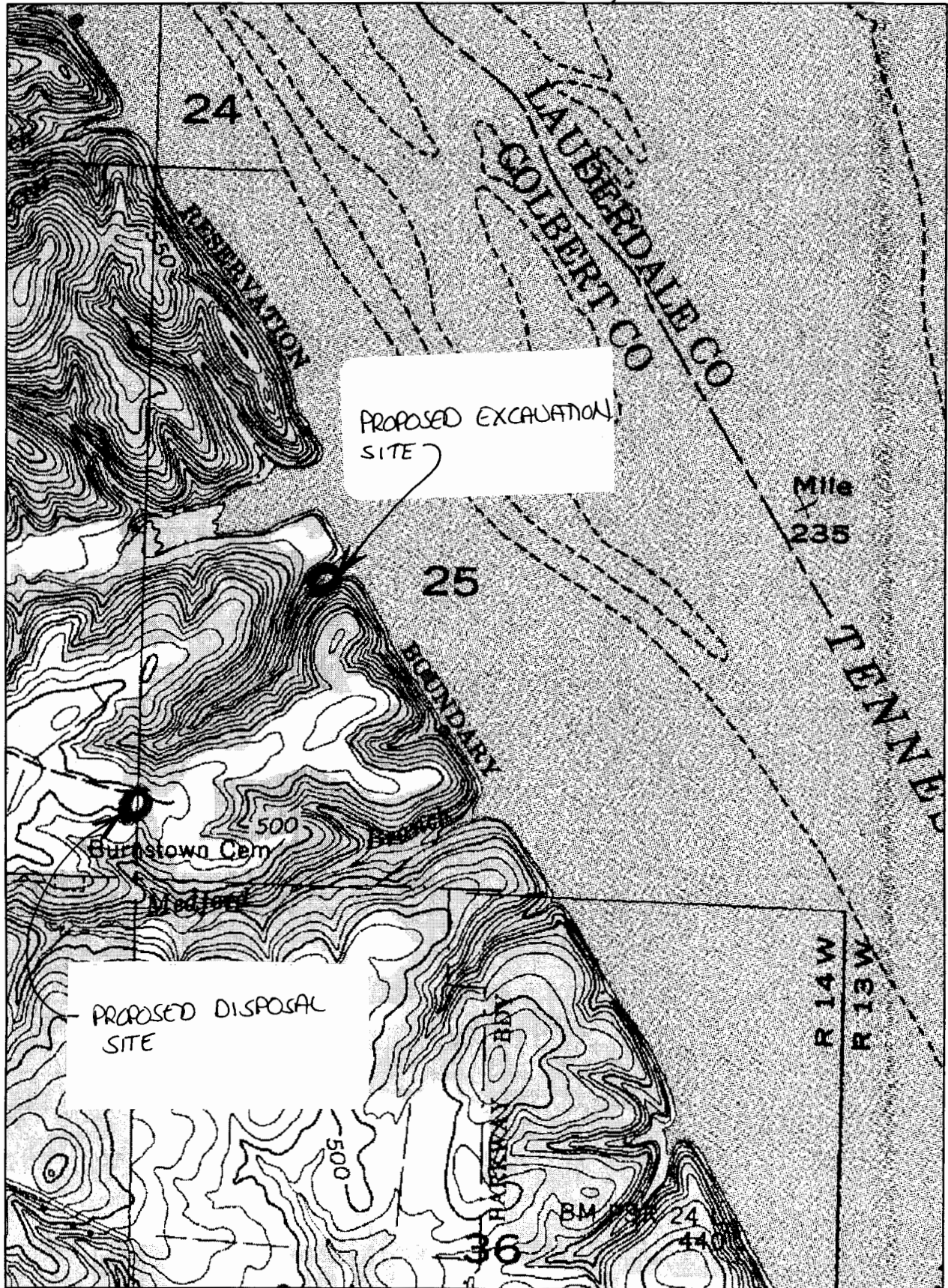
Other federal, state, and/or local approvals required for the proposed work are as follows:

The Tennessee Valley Authority (TVA) approval is required under Section 26a of the TVA Act for the proposed work. In addition to other provisions of its approval, TVA would require the applicant to employ best management practices to control erosion and sedimentation, as necessary, to prevent adverse aquatic impacts.

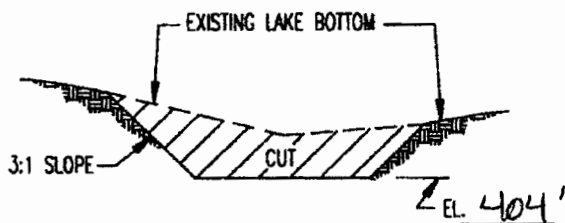
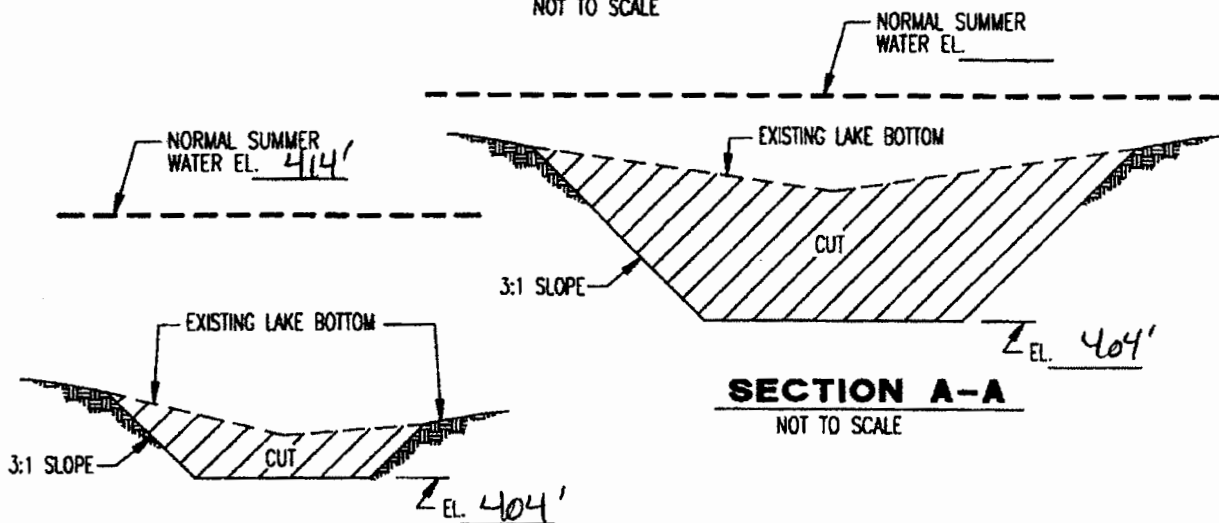
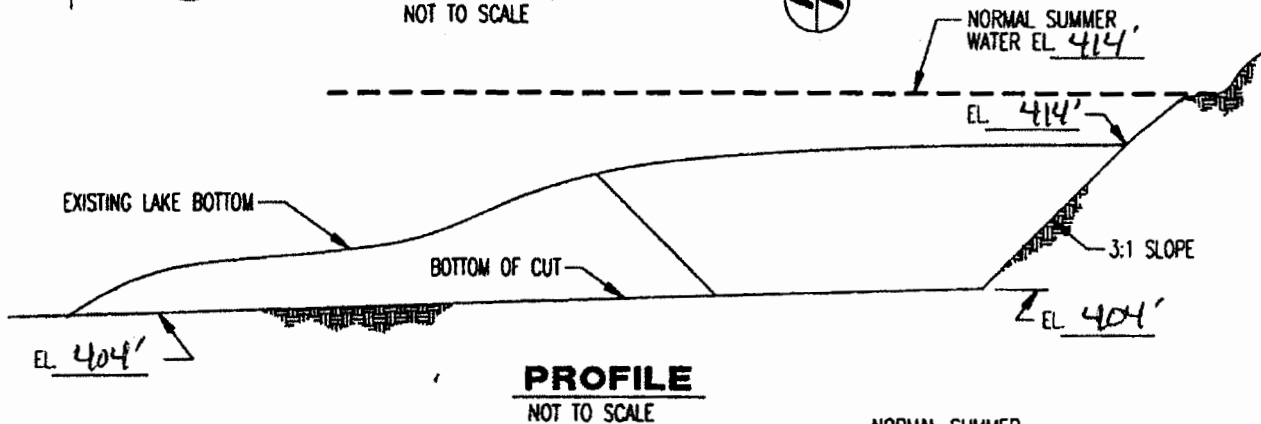
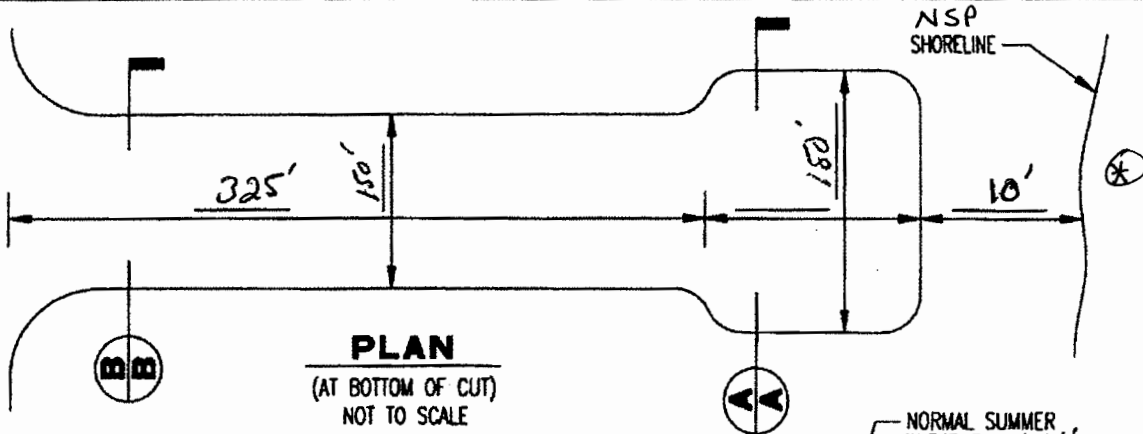
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

Written statements received in this office on or before February 13, 2006, will become a part of the record and will be considered in the determination. Any response to this notice should be directed to the Regulatory Branch, Attention: Amy Robinson at the above address, telephone (615) 369-7509. It is not necessary to comment separately to TVA since copies of all comments will be sent to that agency and will become a part of its record on the proposal. However, if comments are sent to TVA, they should be mailed to Kenley Austin, Tennessee Valley Authority, P.O. Box 1010, Muscle Shoals, Alabama 35662-1010.

William Cornelius
File No. 200502528 ; PN 06-05



CHEROKEE QUAD



ESTIMATED CU. YDS. OF SPOIL TO BE REMOVED: 7,200

THE NORMAL SUMMER WATER LEVEL IS:

⊗ A 10' wide BUFFER TO BE LEFT UNDISTURBED BETWEEN EXCAVATION AND NSP SHORELINE.

NOTE:

INCLUDE ALL DIMENSIONS AND ELEVATIONS WHERE INDICATED.

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EXAMPLE OF PROPOSED CHANNEL AND HARBOR DREDGE	
PROJECT LOCATION INFORMATION:	
STREAM NAME _____	RESERVOIR NAME _____
MILE MARKER _____	MAP NO. _____
(APPLICANT'S NAME)	
William Cornelius	